



Substitute Senate Bill No. 132

Public Act No. 05-281

AN ACT CONCERNING THE IMPLEMENTATION OF A LOBSTER RESTORATION PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) The Department of Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to establish a lobster restoration program to restore lobster spawning stock by increasing lobster egg production by providing that mature female lobsters landed by commercial methods be marked with a v-shaped notch in the tail, released and protected from future harvest.

(b) Subject to the provisions of subsections (c) and (d) of this section, each person engaged in commercial fishing who lands, marks and releases lobsters and who reports such landing, marking and releasing pursuant to section 26-157b of the general statutes shall be compensated, if funds become available, at average market value, as determined by the commissioner, for each lobster released.

(c) The Commissioner of Environmental Protection may select a contractor, in accordance with the provisions of the general statutes and department procedures, to implement the provisions of the program established pursuant to subsection (a) of this section. The

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department shall not be responsible for the training, insurance or supervision of employees of the contractor. The contractor shall be compensated by the department on a per trip basis and not per lobster. Employees of the contractor shall accompany persons engaged in commercial fishing who participate in the program and only such employees shall mark each lobster. Such persons engaged in commercial fishing shall not mark the lobsters and shall not be employed by the contractor to mark lobsters for fishing trips during which such persons are participating in the program.

(d) The program established pursuant to subsection (a) of this section shall (1) be limited to state residents licensed to participate in commercial fishing by the department pursuant to title 26 of the general statutes, (2) require that fishermen and employees of the contractor sign a statement certifying the number of lobsters landed, marked and released for purposes of the program for each trip, (3) require such fishermen and contractor to collect and submit to the department all information deemed necessary by the department to verify compliance with the program, (4) require that all lobsters landed, marked and released for purposes of the program be allocated to the fishermen as catch for purposes of any other lobster management program under the jurisdiction of the state or federal government, and (5) provide that each participant in the program be selected based on the area fished, seasonal nature of such fishing and volume of landings by such participant prior to such participant's application to the program.

Sec. 2. (NEW) (*Effective July 1, 2005*) The Commissioner of Environmental Protection shall do all things necessary to apply for, qualify for and accept any federal or state funds made available or allotted under any federal or state act for the restoration of lobster stock, or any other federal or state acts, projects, programs or activities related thereto. The commissioner shall administer any such funds

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allotted to the commissioner in accordance with federal law and the law of this state. The commissioner may enter into contracts with the federal government or any state government concerning the use, maintenance and repayment of such funds under any such federal or state act.

Approved July 13, 2005